

Greg A. Foley, Executive Director

Kathleen Sebelius, Governor

MINUTES OF THE STATE CONSERVATION COMMISSION MEETING

July 15, 2006

1. The State Conservation Commission meeting was called to order by Rod Vorhees, Chairman and Area V Commissioner at 11:09 a.m., Saturday, July 15, 2006 at the Comfort Inn, 2225 S. Range Avenue, Colby, KS.

2. ATTENDANCE:

Elected Commissioners: Ex-officio and appointed members:

Ted Nighswonger, Area I Andy Larson, Area II Richard Neville, Area III John Wunder, Area IV Rod Vorhees, Area V

David Pope, KDA, Division of Water Resources Harold Klaege, NRCS

Phil Barnes, KSU Research & Extension

Staff:

Greg Foley, Executive Director Scott Carlson, Assistant Director

3. ADDITIONS/DELETIONS TO AND APPROVAL OF AGENDA:

a. **Deletions:**

- 9. (b.) NRCS security investigation and finger printing for all district employees with NRCS mail.
 - (c.) Conservation District/FSA office closure, consideration to form a task force to assess options.

b. Additions:

- **8. (b.)** Motion to extend two FY 2005 WRCSP contracts to December 15, 2006.
- **8. (c.)** Motion to extend five FY 2004 NPS contracts to December 15, 2006.
- 9. (d.) Motion to extend a FY 2003 NPS Livestock Waste Management contract to December 15, 2006.
- **9. (e.)** Authorization to provide NRCS with funds from program appropriations to cover the cost of conservation district employee security investigations.

Motion by Andy Larson and seconded by Ted Nighswonger to approve the agenda as amended. Motion carried.

4. MINUTES OF PREVIOUS MEETING:

Motion by Dick Neville and seconded by John Wunder to approve the minutes of the May 8, 2006 meeting as mailed. Motion carried.

5. GUESTS: None.

6. FINANCIAL REPORT:

a. Greg Foley presented the FY 2006 Year – End Report. Report is attached to the minutes.

Greg Foley presented the preliminary FY 2008 budget proposals and Kansas Water Office recommendations. Discussion on the options and alternatives was followed by directing the staff to prepare the FY 2008 Budget consistent with the Kansas Water Authority recommendation on water plan initiatives, and to support the KACD recommendation for an enhanced funding request for the Aid to Conservation Districts.

7. COMMUNICATIONS AND ANNOUNCEMENTS:

a. Summons of Civil Case brought by the Kickapoo Tribe: 06-2248 CM.

8. UNFINISHED BUSINESS:

a. Greg Foley gave an update on the Buffer Coordinator contract extension.

9. NEW BUSINESS:

a. Greg Foley gave an update on the amended Cooperative Agreement with NRCS that addresses technical assistance for EQIP streambank stabilization projects.

A new technical assistance agreement with the Watershed Institute was discussed that addresses design and construction oversight of streambank stabilization projects by the Institute representatives. This new agreement will be in addition to the current agreement with the Watershed Institute.

- **b.** Motion by Andy Larson and Seconded by John Wunder to approve extension of WRCSP contracts Barber 2005-21 and Nemaha 2005-24 until December 15, 2006. Motion carried.
- **c.** Motion by Ted Nighswonger and seconded by Dick Neville to approve extension of five FY 2004 NPS Livestock Waste Management contracts until December 15, 2006. Motion carried.
- **d.** Motion by Ted Nighswonger and seconded by John Wunder to approve extension of FY 2003 NPS contract from Morris County number 2003-15 until December 15, 2006. Motion carried.

e. Authorization to allow expenditure of FY 2007 NPS program funds from uncommitted carry-forward dollars to cover the cost of NPS Coordinator employee security investigations required for continued NRCS user connectivity. This applies only to employees not covered by NRCS through applicable contribution agreement.

Motion by Andy Larson and seconded by Ted Nighswonger to authorize expenditure of NPS program funds to NRCS to cover the cost of security investigations for conservation district NPS Coordinators as required by NRCS for computer use. Motion carried.

- **f.** Commissioner and staff travel.
 - i. Motion by Dave Pope and seconded by Ted Nighswonger to approve Dennis Baker's attendance at the National Association of State Land Reclamationists (NASLR) Annual Conference in Williamsburg, Virginia September 5 16, 2006. Motion carried.
 - **ii.** Motion by Andy Larson and seconded by Ted Nighswonger to approve Hakim Saadi's attendance at the Association of State Dam Safety Officials (ASDSO) Annual Conference in Boston, Massachusetts September 10 14, 2006. Motion carried.

10. REPORTS:

- a. Agency Reports.
 - i. Harold Klaege provided the NRCS Report. His report is attached.
- **b.** Staff Reports.
 - i. Greg Foley gave an update on the vacancy announcement for the Water Transition Assistance Program (WTAP).
 - ii. Greg Foley gave an update on the office space for the new employee.
 - iii. Scott Carlson gave an update on the Website revision.
 - **iv.** Greg Foley gave an update on Salt Cedar implementation plans. This project is in cooperation with the Kansas Water Office and the Kansas Department of Agriculture, Plant Pest Division. The initial target area will include tributaries to the Arkansas River in Finney or Kearny County.
 - v. Greg Foley gave an update on WDCP.
- c. Commissioner Reports. None.

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11. The next regular Commission meeting is scheduled for Monday, September 11 in Hutchinson, Kansas, at 9:00 am in the Grand Prairie Hotel & Convention Center.

12. ADJOURN:

Motion by Andy Larson and seconded by Ted Nighswonger to adjourn. Motion carried. Meeting adjourned at 1:13 p.m.

Greg A. Foley Executive Director

STATE CONSERVATION COMMISSION FY 2006 QUARTERLY FINANCIAL REPORT

JULY 1, 2005 - JUNE 30, 2006

•	JOET 1, 2003 - JUNE 30,	2000				
			% of	Funds	% of	
	Appropriation/	Total	Funds	Committed/	Committed	Uncommitted
PROGRAM/FUND	Allocation	Expenditures	Expended	Encumbered	Funds	Balance
STATE GENERAL FUND						
a. Office operations (1000)	644,008.85	625,792.70	97.2%	0.00	0.0%	18,216.
TOTAL - STATE GENERAL FUND	644,008.85	625,792.70	97.2%	0.00	0.0%	18,216.
STATE WATER PLAN FUND						-
a. Water Resources Cost-Share - (1200)						
(1) CSIMS Cost-Share Assistance	3,493,609.50	2,102,827.28	60.2%	995,184.21	28.5%	395,598.
(2) Office Operations	119,098.68	119,098.68	100.0%	0.00	0.0%	0.
(3) Reserve	446,546.75	0.00	0.0%	0.00	0.0%	446,546.
Sub-total	4,059,254.93	2,221,925.96	54.7%	995,184.21	24.5%	842,144.
b. Water Resources TA - TSP Employees - (1205)	259,100.00	154,653.43	59.7%	0.00	0.0%	104,446.
c. Non Point Source Pollution Control - (1210)						
(1) Cost-Share Assistance	2,416,891.00	1,257,462.50	52.0%	850,259.36	35.2%	309,169.
(2) Office Operations	77,986.00 530.804.00	45,289.48 430.820.90	58.1% 81.2%	15,064.47	19.3% 0.4%	17,632. 97.668.
(3) Technical Assistance (Conservation District) (4) Reserve	55,636.43	0.00	0.0%	2,315.00	0.4%	97,666. 55,636.
Sub-total	3,081,317.43	1,733,572.88	56.3%	867,638.83	28.2%	480,105.
d. Aid to Conservation Districts - (1220)	1,044,000.00	1,033,965.73	99.0%	10,000.00	1.0%	34.
e. Watershed Dam Construction - (1240)						
(1) Cost-Share Assistance - 1240	302,499.00	150,553.84	49.8%	151,945.16	50.2%	0.
(2) Watershed Dam Restoration - 1240	750,000.00	0.00	0.0%	0.00	0.0%	750,000.
(3) Cost-Share Assistance - 1245	50,000.00	50,000.00	100.0%	0.00	0.0%	0.
Sub-total Sub-total	1,102,499.00	200,553.84	18.2%	151,945.16	13.8%	750,000.
f. KS Water Quality Buffer Initiative CSIMS C/S - (1250)	487,203.88	0.00	0.0%	207,692.17	42.6%	279,511.
g. Kansas Water Quality Buffer Initiative - (1255)						
(2) Buffer Initiative Coordinator	35,000.00	35,000.00	100.0%	0.00	0.0%	0
(3) Office Operations	5,000.00	4,907.52	98.2%	0.00	0.0%	92.
Sub-total	40,000.00	39,907.52	99.8%	0.00	0.0%	92.
h. Riparian and Wetland Protection - (1260)						
(1) Demonstration Projects/KWO Projects	192,235.99	57,160.65	29.7%	121,148.64	63.0%	13,926
(2) Office Operations	66,000.00	36,686.51	55.6%	29,313.06	44.4%	0
Sub-total	258,235.99	93,847.16	36.3%	150,461.70	58.3%	13,927

	PROGRAM/FUND	Appropriation/ Allocation	Total Expenditures	% of Funds Expended	Funds Committed/ Encumbered	% of Committed Funds	Uncommitted Balance
	i. MPSL - Horse Thief Reservoir (1265)	536,333.00	0.00	0.0%	536,333.00	100.0%	0.00
	TOTAL - STATE WATER PLAN FUND	10,867,944.23	5,478,426.52	50.4%	2,919,255.07	26.9%	2,470,262.64
3.	STATE ECONOMIC DEVELOPMENT INITIATIVES FUND -1900						
	a. Conservation Easements (1300)	31,250.00	31,250.00	100.0%	0.00	0.0%	0.00
	b. MPSL - Horse Thief Reservoir (1310)	50,000.00	0.00	0.0%	50,000.00	100.0%	0.00
	TOTAL - STATE ECONOMIC DEVELOPMENT INITIATIVES FUND	81,250.00	31,250.00	38.5%	50,000.00	61.5%	0.00

	PROGRAM/FUND	Fee Deposit Accounts	Total Expenditures	% of Funds Expended	Funds Committed/ Encumbered	% ofCommitted Funds	Uncommitted Balance
4.	LAND RECLAMATION FEE FUND - (2542)		,				
	a. Office Operations	244,321.36	169,134.85	69.2%	2,550.00	1.0%	72,636.51
	b. American Express Credit Card Fund (9453-9400)	2,809.74	2,743.09	97.6%	0.00	0.0%	66.65
	TOTAL - LAND RECLAMATION FEE FUND	247,131.10	171,877.94	69.5%	2,550.00	1.0%	72,703.16
5.	BUFFER PARTICIPATION INCENTIVE FUND KDWP (2517)	150,000.00	150,000.00	100.0%	0.00	0.0%	0.00
6.	KWO-RW CSIMS DEMO PROJECTS - (2522)	3,448.46	3,125.85	90.6%	0.00	0.0%	322.61
7.	FEDERAL FUNDS - 3914						
	a. KAWS Projects CSIMS C/S & Oper (EPA) (3620)	2,227.81	2,227.81	100.0%	0.00	0.0%	0.00
	b. KWO - CSIMS C/S & Special Proj (EPA) (3630)	14,400.00	14,400.00	100.0%	0.00	0.0%	0.00
	c. EPA-Wetland Protection (3640)	110,255.56	86,927.85	78.8%	12,312.42	0.0%	11,015.29
	d. EPA-KDHE-KAWS Wetland Protection (3650)	61,686.60	3,063.97	5.0%	0.00	0.0%	58,622.63
	e. EPA2-Wetland Protection (3660)	15,536.17	0.00	0.0%	15,000.00	0.0%	536.17
	f. EPA2-KDHE-KAWS Wetland Protection (3670)	20,000.00	0.00	0.0%	20,000.00	0.0%	0.00
	TOTAL- FEDERAL FUNDS - 3914	224,106.14	106,619.63	47.6%	47,312.42	0.0%	70,174.09
8.	FEDERAL FUNDS - 3915						
	a. EPA-NPS Operations (KDHE) (3730-67400)	94,739.00	58,699.66	62.0%	10,200.00	10.8%	25,839.34
	b. EPA-Buffer Partnership (KDHE) (3730-67600)	88,525.02	64,535.35	0.0%	0.00	0.0%	23,989.67
	TOTAL- FEDERAL FUNDS - 3915	183,264.02	123,235.01	67.2%	10,200.00	0.0%	49,829.01

		Fee Deposit	Total	% of Funds	Funds Committed/	% ofCommitted	Uncommitted
	PROGRAM/FUND	Accounts	Expenditures	Expended	Encumbered	Funds	Balance
9.	NRCS CONTRIBUTION AGREEMENT - 3917						
	a. Contribution Agreement Employees, Travel (3800-67320)	155,998.61	156,887.96	100.6%	0.00	0.0%	(889.35)
	b. CD Operations and Indirect (3810-67320)	183,368.80	179,503.98	97.9%	1,224.40	0.7%	2,640.42
	b. CD Operations and Indirect (3820-67420)	19,503.22	9,999.70	51.3%	16,120.30	82.7%	9,503.52
	TOTAL- NRCS FUNDS - 3917	175,501.83	346,391.64	197.4%	17,344.70	0.0%	11,254.59
		-	-	-		-	
10.	MOTOR VEHICLE FUND - (6118-6000)	42,344.16	7,104.72	16.8%	0.00	0.0%	35,239.44



"A Partner in Conservation Since 1935"

United States Department of Agriculture Natural Resources Conservation Service 760 South Broadway Salina, KS 67401-4604

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NRCS HIGHLIGHTS OF ACTIVITIES for the KANSAS ASSOCIATION OF CONSERVATION DISTRICTS AND STATE CONSERVATION COMMISSION MEETINGS

COLBY, KANSAS JULY 15, 2006

PERSONNEL

New Hires: Matthew N. Meyerhoff, Soil Conservationist, LaCrosse

(previously student trainee)

Jody L. Gienger, Soil Scientist, Lawrence

(previously student trainee)

Kristen J. Evans, Soil Conservationist, Ness City

(previously student trainee)

Reassignments:

Dustan D. Ridder, Soil Conservationist, Johnson

to Soil Conservationist, Seneca

Rebbecca S. Lyons, Rangeland Management Specialist, Ness City

to Rangeland Management Specialist, Manhattan Sara A. Fredrickson, Soil Conservationist, Junction City

to Soil Conservationist, Hugoton

Michelle L. Bouziden, Soil Conservationist, Seneca

to Soil Conservationist, Garden City George H. Cole, Soil Conservationist, Iola

to Soil Conservationist, Meade

Matthew W. Markley, District Conservationist, Wellington

to District Conservationist, Johnson

Retirement: Marion L. Fussell, District Conservationist, Scott City

PROGRAMS

Conservation Security Program (CSP)

Kansas received 100 eligible applications during the Fiscal Year (FY) 2006 signup period. Forty-one CSP applications were approved for funding from the FY 2006 signup.

Applications in categories A1 through A3 were fully funded. However, due to limited funding, applications in categories A4 through B1 were prorated to 70 percent of the financial assistance (FA) funds requested for the first year of the contract. Contracts will be fully funded for the remaining contract years. All of the approved contracts in Kansas were in the A4 category and prorated to the 70 percent rate.

Environmental Quality Incentives Program (EQIP)

Kansas currently has over 900 eligible FY 2006 applications totaling over \$20 million. Additional FA funds have been requested from national headquarters. Notification of any fund reallocation to states with eligible unfunded EQIP applications is expected in late July or early August.

Preparation has begun for FY 2007 EQIP. The Kansas Technical Committee (KTC) EQIP Subcommittee will meet July 25 and the full KTC will meet August 17 to give their recommendations to the State Conservationist (STC) for EQIP.

Emergency Watershed Protection Program (EWP)

Kansas NRCS has one EWP project (damaged PL-566 small watershed structure in Greenwood County) on the National EWP program funding wait list.

Farm and Ranch Lands Protection Program (FRPP)

Over 5500 acres of "soils of statewide importance" (located in the Flint Hills Region of Kansas) are now permanently protected from conversion to non-agricultural uses under the federal FRPP. In FY 2006, Kansas received an additional five new offers to enroll Kansas farm and ranch lands into this program. These five applications represented approximately 7200 additional acres. NRCS has tentatively approved funding for two of these parcels representing 2340 acres. This would exhaust the \$485,474 dollars received by Kansas for FRPP in FY 2006. Cooperative agreements are currently being developed to obligate these funds. Kansas has requested an additional \$794,631 from our National Headquarters to fund the remaining parcels that were submitted.

Grassland Reserve Program (GRP)

In June, Kansas NRCS closed seven GRP permanent easements that cover 1,500 acres in Saline, Dickinson and Chase counties. Since inception of the program, a total of 11,100 acres (18 permanent easements) have been closed, which leads the nation. Another 12,000 acres (31 easement contracts) should be closed in the next several months.

Sadly, however, GRP funding has reached its national statutory cap of \$254 million. As a result, there will not be a sign-up in FY 2006, and NRCS will no longer accept applications for the program.

Resource Conservation & Development (RC&D)

NRCS is in the process of implementing a new national reporting system for capturing RC&D program activities and progress. This new system (POINTS) will improve NRCS' ability to document RC&D progress and how RC&D councils are helping achieve NRCS national strategic goals along with state and local goals.

The State Association of Kansas RC&D Councils will be holding their annual state association meeting in Greensburg, Kansas, August 6-8, 2006.

Watershed Operations

Design:

• The designs for Lyons Creek Watershed, Site 15, Morris County, and North Black Vermillion Watershed, Site 201, Marshall County, are still progressing now that we have the needed local decision on Lyons Creek Watershed, Site 15.

Construction:

- North Black Vermillion Watershed, Site 4, final checkout has been completed.
- Whitewater Watershed
- Site 29, Butler County Final checkout has been completed.
 - O Site 17, Harvey County The earthwork is completed. Next will be the seeding and mulching and the clean up. Checkout is expected by the end of July.
- North Sector Upper Walnut Watershed
 - O Site 8, Butler County Earthwork has been completed. Seeding and mulching will be completed shortly.
 - o Site 12, Butler County Final checkout has been completed.
- Lower Elk River Watershed, Site 20, Elk County Earthwork has been completed. Seeding and mulching will be completed shortly.

Watershed Planning

NRCS is currently developing three Rapid Watershed Assessments (RWA) in the Coon-Pickerel, Upper Verdigris, and the Delaware River watersheds. These assessments include a two-phase approach to evaluate and assess resource conditions within eight-digit hydrologic unit codes (HUC-8). NRCS, in cooperation with the Kansas Department of Health and Environment (KDHE), will also be completing the Lower Republican and the Middle Kansas RWAs by the end of September. KDHE will incorporate water quality condition reports into the RWAs. When complete, each RWA will be published for viewing on the Kansas NRCS Web site.

NRCS is preparing to initiate a preliminary investigation for watershed planning in the Spring-Straight sub-watershed of the Delaware River Basin.

Watershed Rehabilitation

NRCS received an application for federal assistance for Watershed Rehabilitation from the Switzler Creek Watershed district for FY 2007 planning funding for Site 7. The application has been evaluated and ranked for FY 2007. NRCS is currently in the process of evaluating the project to determine the likely no federal action alternative.

Additional watershed rehabilitation assistance is being coordinated with several other PL-566 watershed districts across the state.

Wetlands Reserve Program (WRP)

Two WRP easements were closed and filed since the last report on 153.7 acres protecting or restoring 96 acres of wetlands. For the year, 497 acres of wetlands are being protected or restored through purchased easements. WRP wetland restoration has been reported on 384 acres so far this year. Appraisals have been ordered for the 13 remaining 2006 WRP applications. Technical reviews and administrative reviews are being completed on eight WRP appraisals that have been recently completed. These reviews have to be completed before an Option

Agreement to Purchase (OAP) can be offered. All WRP offers are to be made on either the Geographic Rate Caps established for each county, the difference between the before and after market appraisal value, or landowner offer, whichever is less.

Wildlife Habitat Incentives Program (WHIP)

Kansas currently has over 120 eligible FY 2006 applications. Additional FA funds in the amount of \$400,000 have been requested from national headquarters. Notification of any fund reallocation to states with eligible unfunded WHIP applications is expected in late July or early August.

Preparation has begun for FY 2007 WHIP. The KTC WHIP Subcommittee will meet August 9 and the full KTC will meet August 17 to give their recommendations to the STC for WHIP.

TECHNOLOGY

Architect and Engineer (A&E) Contracting - We continue to work with and meet with our consultants, clients, and the KDHE to get projects designed and constructed.

The Grassed Waterway Spreadsheet was updated in the electronic Field Office Technical Guide (eFOTG).

Kansas Engineering Technical Note 5, Temporary Permits Required for Streambank Activity, was added to the Kansas Web site under Technical Resources > Engineering.

OTHER

The Kansas Black Farmers Association is sponsoring a forum on July 27, 2006, in Hill City highlighting USDA assistance to farmers and communities in Northwest Kansas.

NRCS has amended the cooperative agreement with the State Conservation Commission (SCC) and added 15 streambank projects for the FY 2006 EQIP. All seven FY 2005 contracts have completed designs, and one project has the bendway weirs installed.

Fifteen "expiration" notices were sent to Technical Service Providers (TSPs). We received renewal replies from four individuals and certified one of those. Four TSPs have expired and are no longer listed in TechReg. Six individuals who had let their agreements expire were contacted and encouraged to reapply. Positive responses were received from three.

Hazard classification updates are continuing for the National Inventory of Dams (NID). We have deleted 209 dams from the inventory because the state of Kansas changed their requirements of height and storage volume for an inventory-size dam to meet the federal policy requirements. We also sent a list of approximately 100 dams that were built under the conservation operations program to the field offices for them to verify their low hazard classifications.

Conservation Planning Phase II training was provided to 26 employees from three different agencies on June 27-29, 2006. Employees from NRCS, SCC, and Kansas Department of Wildlife and Parks (KDWP) attended the three day session held in Salina, Kansas. The session emphasized the planning process and involved classroom as well as field exercises. A brief overview of conservation planning with emphasis on resource concerns documentation, environmental evaluation, and conservation practice planning, and practice completion certification was provided to 42 KDWP biologists and technicians during their public lands meeting held in Salina, Kansas, June 26, 2006.

Two Kansas Conservation Innovation Grants were funded in the amount of \$50,000 each. One to Kansas State University (KSU) Advanced Manufacturing Institute titled "Development and Demonstration of a Phosphate Recovery Device that is Economical for CAFO's" and one to Agriment Services Inc. titled "Anaerobic Lagoon Biological Enhancement Program." Kansas is involved in three National Conservation Innovation Grants that were approved. They are Colorado State University, "Sustainable Cropping Systems for Transition from Full Irrigation to Limited Irrigation and Dry Land," \$216,765, involving six states; Chicago Climate Exchange, "Carbon Credit Generation Program:

Cost Effective Procedures to Estimate, Aggregate, Verify & deliver Carbon Credits to Private Sector markets," \$750,000, involving 13 states; Purdue University, "Multi-criteria Optimization of Watershed Management Practices for Sediment, Nutrient & Pesticide Control," \$203,894, involving 13 states.

Kansas NRCS is also involved with two National Cooperative Conservation Partnership Initiative (CCPI) grants. One is for natural resource concerns. It is The Nature Conservancy, "Prairie Chicken Habitat Restoration in the Flint Hills of Kansas and Oklahoma" for \$59,500. The other CCPI grant is for completing Rapid Watershed Assessments. It is with Kansas State University in the amount of \$150,000 for completing the RWAs on four watersheds in Northwest Kansas.

Bud Davis, Agronomist, traveled to Dnipropetrovs'k, Ukraine, along with Scott Staggenborg, KSU; Mike Hubbs, NRCS National Agronomist; Jason Miller, NRCS Conservation Agronomist, South Dakota; and seven other United States and Canadian researchers and specialist as invited speakers for the 3rd International No-till Conference 2006, in Ukraine.

The theme of the conference was "Improving Soil Quality Enhances Profits!" Davis gave four presentations on Soil Quality Assessment and Improvement along with demonstrations concerning soil quality and management impacts to soil erosion and water infiltration. Scott Staggenborg presentation was on Carbon Sequestration in the USA and KSU's work in terrestrial carbon management.

The Cheney Lake Conservation Effects Assessment Program (CEAP) funding agreements have been signed with the Agricultural Research Service (ARS) for their assistance with computer models. This is a three-year contract concentrating on determining environmental effects of different conservation practices; mainly, CRP, livestock waste systems, and irrigation which will hopefully be completed this calendar year. The project should be completed in FY 2007.